

REMARKS

The foregoing amendments and following remarks are submitted to address the issues raised in the Office Action mailed March 27, 2006. Claims 35-63 are currently pending in the application, claims 1-34 having been cancelled, claims 35-52 having been added, and claim 48 having been withdrawn. Claims 35-47 and 49-52 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Weih et al. (U.S. 5,200,459; U.S. 5,300,555; or U.S. 5,496,884).

Applicant respectfully requests consideration of the application in view of the foregoing amendments and the following remarks.

Claims 35-47 and 49-52 stand rejected under 35 U.S.C. § 102(b)

The rejection of claims 35-47 and 49-52 under 35 U.S.C. § 102(b) as being anticipated by Weih et al. (U.S. 5,200,459; U.S. 5,300,555; or U.S. 5,496,884) is believed to be rendered moot by the foregoing amendments.

Claims 35 and 50 have been amended to include the limitation that the butadiene polymer latex is prepared in the absence of a volatile organic component. Support for this limitation may be found in the Specification at paragraph [0010] – [0011] and [0012]. As stated therein, one feature and advantage of the invention as claimed in the independent claims is the absence of volatile organic compounds (VOCs), particularly volatile organic co-solvents, in the latex. In contrast, Weih et al. employ VOCs in the preparation of the latex, such as a stabilizing solvent, then remove the solvent in a vacuum stripping operation to avoid the presence of the solvent in the final latex. (Weih et al. '459, col. 4, lines 1-17) Unfortunately, as noted in paragraph [0011] of the present application, it may be difficult to ensure complete removal of the VOC from the latex. Therefore the present invention, directed toward the preparation of an aqueous butadiene latex without the use of a volatile organic compound, provides a unique solution to this problem. By employing styrene sulfonic acid, styrene sulfonate, poly(styrene sulfonic acid) or poly(styrene sulfonate) as the stabilizer, rather than a VOC, the problem is eliminated. Further, while Weih et al. do suggest the use of styrene sulfonic acid, it is employed therein as an optional copolymerizable monomer rather than a stabilizer. (Weih et al. '459, col. 3 lines 16 and 26)

Applicants respectfully submit that the Weih et al. references do not disclose or suggest the preparation of an aqueous butadiene latex without the use of a volatile organic compound. As such, Applicants respectfully request reconsideration of the claims and reversal of the rejection in light of these amendments.

Conclusion

Applicants respectfully requests early consideration of the present application, entry of all amendments herein requested, and allowance of all pending claims.

The Examiner is respectfully invited to contact Todd W. Galinski at (919) 468-5979 ex6204, to discuss any matter relating to this application.

Respectfully submitted,
LORD CORPORATION

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_/Todd W. Galinski/_____
Todd W. Galinski
Registration No. 51,713

111 Lord Drive
P.O. Box 8012
Cary, NC 27512-8012
Phone: 919-468-5979